

REMARKS

In the Office Action dated June 15, 2005, the Examiner rejected claims 1-42. In particular, the Examiner rejected claims 7-17, 20-26, 35-39, and 42 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0113096 to Taira. Further, the Examiner rejected claims 29-31 and 33-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,630,006 to Hirayama et al. In addition, the Examiner rejected claims 18, 19, 27, 28, and 40-41 under 35 U.S.C. § 103(a) over Taira in view of U.S. Patent Application Publication No. 2004/0136698 to Mock. Further, the Examiner rejected claims 1-3 under 35 U.S.C. § 103(a) over Taira in view of Hirayama. In addition, the Examiner rejected claims 3-6 under U.S.C. § 103(a) over Taira in view of Hirayama and Mock. Finally, the Examiner rejected claims 32 and 34 under U.S.C. § 103(a) over Hirayama in view of Taira.

Applicants submit that the pending claims are patentably distinct from Taira. Accordingly, Applicants provide a discussion below that further explains the distinction. Applicants have also amended independent claims 1, 7, 22, 29, 35, and 39 for clarification purposes. Irrespective of these clarifications, Applicant submits that independent claims 1, 7, 22, 29, 35, and 39 are patentably distinct from Taira.

Rejections under 35 U.S.C. § 102(e)

The Examiner rejected claims 7-17, 20-26, 35-39, and 42 under 35 U.S.C. § 102(e) as being anticipated by Taira. Applicants respectfully disagree with the Examiner's characterization of Taira. Accordingly, Taira is directed to a playback system for a medium such as a DVD. The Taira system is only interactive. In other words, the user is encouraged to use a remote control to make menu selections regarding the order of video segments to be viewed. For

instance, the user can select different views of an orchestra. Taira, paragraph 353. The order of the views depends on the user input.

Amended independent claim 7 clarifies that there is a first instruction set with a pre-determined passive sequence and a second instruction set that is responsive to user commands. With respect to the sequence of data blocks viewed, Taira does not teach a first instruction set with a pre-determined passive sequence let alone a combination of a first instruction set with a pre-determined passive sequence and a second instruction set that is responsive to user commands. Accordingly, Applicants submit that the rejection of claim 7 should be withdrawn.

In addition, Applicants submit that independent claims 22, 35, and 39 recite a pre-determined passive sequence, and are therefore also allowable. Further, claims 8-17, 20-21, 23-26, and 36-38 depend from independent claims 1, 22, 35, and 39 and are therefore also allowable.

Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 29-31 and 33-34 under 35 U.S.C. § 102(b) as being anticipated by Hirayama. However, Hirayama is another reference that is directed toward interactive control by a user. Hirayama is a reference that deals with editing programs. A system is provided that includes a user control. For instance, Hirayama discusses how a user inputs a choice at an operator panel. Hirayama, col. 10, lines 25-55.

Amended independent claim 29 clarifies that a menu displays a first menu selection for a passive fixed ordered sequence and a second menu selection for an interactive sequence. Hirayama is solely directed to an interactive system and does not teach a menu that provides for

a selection between a passive fixed ordered sequence and an interactive sequence. Further, claims 30-31 and 33-34 depend from independent claim 29 and are therefore also allowable.

Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 18, 19, 27, 28, and 40-41 under 35 U.S.C. § 103(a) over Taira in view of Mock. Claims 18 and 19 depend from claim 7 and are therefore allowable for the reasons discussed above with respect to claim 7. Further, claims 27 and 28 depend from claim 22 and are therefore allowable for the reasons discussed above with respect to claim 22. Finally, claims 40 and 41 depend from claim 39 and are therefore allowable for the reasons discussed above with respect to claim 39.

In addition, the Examiner rejected claims 1-3 under 35 U.S.C. § 103(a) over Taira in view of Hirayama. Claim 1 recites a passive fixed ordered sequence and a main menu that displays a first menu selection for the passive fixed ordered sequence and a second menu selection for an interactive sequence. Therefore, claim 1 is distinct from Taira because Taira does not teach a passive fixed ordered sequence. In addition, claims 2 and 3 depend from claim 1 and are therefore also allowable.

Further, the Examiner rejected claims 3-6 under U.S.C. § 103(a) over Taira in view of Hirayama and Mock. Claims 3-6 depend from claim 1 and are therefore allowable for the reasons discussed above with respect to claim 1.

In addition, the Examiner rejected claims 32 and 34 under U.S.C. § 103(a) over Hirayama in view of Taira. Claims 32 and 34 depend from claim 29 and are therefore allowable for the reasons discussed above with respect to claim 29.

New Claims

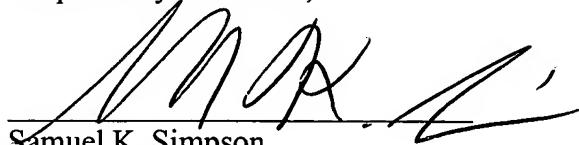
Applicants have also added new claims 43-48. Accordingly, claims 43-48 recite a passive sequence. As discussed above, Taira is directed to an interactive sequence. Therefore, new claims 43-48 are also in condition for allowance.

CONCLUSION

Applicants have complied with all requirements made in the above-referenced communication. Applicants submit that the present application is in condition for allowance, and therefore, respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 54317-029201 is referred to when charging any payments or credits for this case.

Respectfully submitted,



Samuel K. Simpson
Reg. No. 53,596

Date: December 15, 2005

Customer Number 46560
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (310) 586-7755
Fax: (310) 586-7800
E-mail: simpsons@gtlaw.com

LA-FS1\378019v01